

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

<b>TERESA S. PENLAND,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL NO. 1:05CV285</b>
	)	
<b>JO ANNE B. BARNHART,</b>	)	
<b>Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

**THIS MATTER** is before the Court on Plaintiff's "Petition For Attorney's Fees." By "Response . . ." filed on November 30, 2005, Defendant advises that the Commissioner and counsel for the Plaintiff have agreed to settle this claim for an award of \$550.00, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. §2412(d).

**NOW THEREFORE, IT IS ORDERED:**

1. Plaintiff's Petition For Attorney's Fees is **GRANTED**, that is, counsel for Plaintiff shall be paid the sum of \$550.00 (five hundred and fifty dollars).
2. No additional petition pursuant to 28 U.S.C. §2412(d) shall be filed.
3. The Clerk is directed to serve copies of this order to counsel for the parties.

**Signed: December 1, 2005**

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

